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Beverly L. Smith

CLERK

of the supreme court,
court of appeals and
tax court

ATTORNEYS FOR APPELLEES:

STEVE CARTER
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**IN THE
COURT OF APPEALS OF INDIANA**

[illegible]

No. 46A04-0707-CV-366

KIRSCH, Judge

Joseph Williams-Bey was convicted of receiving stolen property, a Class D felony, sentenced to a period of incarceration followed by a term of probation, and ordered to pay statutorily required probation user fees. *Appellant's Supp'l App.* at 10. After release from incarceration, he violated his probation by failing to report, and the trial court sentenced him to work release and ordered the collection of probation user fees. *Id.* He filed a petition for return of probation user fees, which the trial court denied. *Id.* at 11. Williams-Bey now appeals the order of the trial court denying his petition.

Williams-Bey's brief fails to comply with the Indiana Rules of Appellate Procedure. *See* Ind. Appellate Rule 46(A). Specifically, his brief does not set forth the facts that led to the trial court's denial of his petition, provides no standard of review, cites to no authority and fails to make a cogent argument. "Dismissal or summary affirmance is warranted in cases where a party to an appeal commits a flagrant violation of the rules." *Coachman Indus., Inc. v. Crown Steel Co.*, 577 N.E.2d 602, 603 (Ind. Ct. App. 1991) (citing *Grimm v. F.D. Borkholder Co., Inc.*, 454 N.E. 2d 84, 85 n.1 (Ind. Ct. App. 1983)). "[I]t is the responsibility of appellant to support his argument on appeal with appropriate citations to legal authorities as well as to appropriate sections of the record," otherwise, "we cannot determine the merits of the claim and, thus, consider the issue waived." *Marshall v. State*, 621 N.E.2d 308, 318 (Ind. 1993) (citing *Bieghler v. State*, 481 N.E.2d 78, 89 (Ind. 1985), *cert. denied*, 475 U.S. 1031 (1986)).

Affirmed.

VAIDIK, J., and CRONE, J.